

FILED

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

98 AUG 24 AM 9:21

U.S. DISTRICT COURT
N.D. OF ALABAMA

GERALD BISHOP,

Plaintiff(s),

vs.

CV 98-N-0452-S

**PHILLIP W. HUMPHRIES,
individually and in his
capacity as a Deputy Sheriff of
Jefferson County**

Defendant.


ENTERED
AUG 24 1998

MEMORANDUM OF DECISION

On August 7, 1998 this court entered an order requiring the plaintiff to show cause in writing no later than August 13, 1998, why this case should not be dismissed. *See Order entered August 7, 1998.* Plaintiff has failed to comply. This cause has been pending since April 20, 1998 with no properly filed complaint. *See Order entered April 20, 1998* (striking plaintiff's second amended complaint). As this court noted in its August 7th order, the plaintiff has taken no action since the court struck his complaint except to file what appears to be an untimely notice of appeal. Plaintiff has failed to properly maintain and prosecute this action. Therefore it is hereby **ADJUDGED** and **DECREED** that this cause should be **DISMISSED** without prejudice.

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Done, this 24~~th~~ of August, 1998.

A handwritten signature in black ink, appearing to read "Edwin L. Nelson", written over a horizontal line.

EDWIN L. NELSON
UNITED STATES DISTRICT JUDGE